

[ORAL ARGUMENT HELD DECEMBER 7, 2022]

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

JAMES BLASSINGAME AND SIDNEY
HEMBY,

Appellees,

v.

DONALD J. TRUMP,

Appellant.

No. 22-5069

Consolidated with 22-7030, 22-7031

UNOPPOSED MOTION FOR 30-DAY EXTENSION OF TIME

Pursuant to Federal Rule of Appellate Procedure 26(b) and D.C. Circuit Rule 28(e), the United States respectfully moves for a 30-day extension of time, to and including February 16, 2022, in which to file any amicus brief in this case. All parties consent to this motion.

1. The United States is not a party to this litigation, in which the plaintiff-appellees have asserted various claims against the defendant-appellant, former-President Donald J. Trump, in his individual capacity. The Court held argument in these appeals on December 7, 2022. On December 20, 2022, the

Court entered an order inviting the United States to file a brief amicus curiae expressing the views of the United States in these cases. The Court directed that any such brief be filed by January 17, 2023.

2. The United States respectfully requests that this deadline be extended 30 days to February 16, 2023. The attorneys with principal responsibility for this matter are Mark R. Freeman, Mark B. Stern, Joshua M. Salzman, and Sean R. Janda, and each has recently been occupied with other pressing matters, including (among many other things) assisting with preparation for oral argument in *Trump v. Carroll*, No. 22-SP-0745 (D.C. Ct. of Appeals) (en banc) (oral argument scheduled for Jan. 10, 2023). In addition, any amicus filing in this case must be authorized by the Solicitor General of the United States, *see* 28 C.F.R. § 0.20(c), and additional time is required to give the Solicitor General an adequate opportunity to determine, after consultation with all potentially affected governmental components, whether an amicus filing will be authorized. If amicus participation is authorized, government counsel will also need time to prepare the government's brief.

3. Counsel for the parties have indicated that the parties consent to this request.

CONCLUSION

For the foregoing reasons, the government respectfully requests that the Court grant the motion for a 30-day extension of time, to and including February 16, 2023, in which to file any amicus brief.

Respectfully submitted,

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JANUARY 2023

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 326 words, according to the count of Microsoft Word.

/s/ Sean R. Janda

Sean R. Janda